

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
	:	Chapter 13
BERNADETTE C RAINES,	:	
	:	Case No. 23-11627-PMM
Debtor.	:	

STIPULATION IN SETTLEMENT OF MOTION TO PARTIALLY AVOID LIEN

It is hereby stipulated by and between Sadek Law Offices, LLC, counsel for the Debtor/Movant, and Lopez Thompson, Esquire, Counsel for the Respondent **DIANE G. MORIS** (collectively, the “Parties”), as follows:

BACKGROUND

1. The Debtor filed a voluntary petition for relief under chapter 13 of the Bankruptcy Code on June 2, 2023 (the “Petition Date”).
2. On June 23, 2023, the Debtor filed their schedules, statements, and statement of financial affairs (the “Schedules”).
3. The Schedules reflect, among other things, the Debtor’s interest in real property located at 2023 Snyder Avenue, Philadelphia, PA 19145 (the “Property”).
4. The Schedules reflect the Property having a value of \$145,620.
5. On November 15, 2012, Creditor, Diane G Morris (“Creditor”) obtained a civil judgment against the Debtor in the amount of \$1,000,000.00 (the “Civil Judgement”).
6. On August 7, 2023, the Creditor, through counsel Lopez Thompson, Esquire filed Proof of Claim 5-1 asserting a claim for \$1,000,000.00, of which \$250,000.00 was claimed as secured.
7. On October 19, 2023, the Debtor filed a Motion to Avoid Lien with Diane G. Morris under 11 U.S.C. §§ 522(f), 506(a), and 506(b) (the “Motion to Avoid Lien”). [Docket No. 39]

8. On November 2, 2023, Creditor, through counsel, filed a Response to the Motion to Avoid Lien. [Docket No. 46]

9. On December 7, 2023, the Debtor filed Exhibit to Motion to Avoid Lien – Property Appraisal (the “Property Appraisal”). [Docket No. 55]

10. – The Property Appraisal provides that the Property is valued at \$155,000.00.

STIPULATION

11. The Parties agree that the Property is valued at \$155,000.00.

12. Based upon the valuation of the Property, the Parties agree that the Creditor’s claim for \$1,000,000.00 based upon the Civil Judgement is only partially secured up to \$155,000.00.

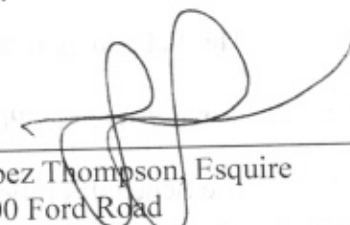
13. Accordingly, the Creditor’s remaining claim is a general unsecured claim.

THEREFORE, based upon the foregoing facts, and after notice and an opportunity to be heard, the Debtor’s Motion to Partially Avoid Lien of Diane G. Morris is hereby **RESOLVED**. The Creditors Proof of Claim is only secured up to \$155,000.00.

/s/ Brad J. Sadek

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